



Express Mail Label No. EV 678 762 783 US Attorney Docket No. 1342/US/1 (Formerly 5893.02)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

William A. Baker

Appln. No.: 10/051,602

Filed: January 17, 2002

For:

**EXERCISE BICYCLE** 

Confirmation No.: 1121

Group Art Unit: 3764

Examiner: Tam M. Nguyen

SEAL4449

#### CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

- Supplemental Information Disclosure Statement (Under 37 C.F.R. § 1.97(b)(4) 1. and §1.98) (2 pages);
- Information Disclosure Statement by Applicant (Form PTO/SB/08A) 2. (6 pages);
- 3. 10 references:
- Certificate of Mailing by Express Mail (1 page); and 4.
- Return Card. 5.

relating to the above application, were deposited as "Express Mail," under 37 C.F.R. § 1.10, Mailing Label No. EV 678 762 783 US with the United States Postal Service, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20 day of Journ 2006.

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# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (Under 37 C.F.R. § 1.97(b)(4) and § 1.98)

Sir:

The Examiner is requested to consider the references noted on the enclosed Form PTO/SB/08A during examination of the above-identified patent application. The references are submitted for the Examiner's consideration and are submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56.

Applicant recognizes the Examiner's burden associated with reviewing the relatively large number of references cited herein. Therefore, in an effort to make the Examiner's review of all the cited references more efficient, a number of cited references on the enclosed Form PTO/SB/08A are marked with bold text and an asterisk (\*). The highlighted references might be of additional interest to the Examiner.

With respect to all references cited herein, to the highlighted and not highlighted, no representation is made or implied that the references are or are not material to the examination of the application in accordance with 37 C.F.R. 1.97(h). The Examiner is requested to review all cited references and is encouraged to make his or her own determination of materiality of all cited references on the enclosed Form PTO/SB/08A.

Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), copies of the U.S. patent and publication references are not provided, unless required by the Office. Copies of the foreign and non-patent literature references are provided herewith.

Express Mail Label No. EV 678 762 783 US Attorney Docket No. 1342/US/1 (5893.02)

The following foreign references are not in the English language: German Patent Nos. DE 517,774 and DE 1,961,488. Therefore, in compliance with 37 C.F.R. § 1.98(a)(3)(i), either an English translation of the reference or an English translation of the abstract from Derwent are attached to these references, which are enclosed, to satisfy the requirement for a concise explanation of relevance.

This Information Disclosure Statement is filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Accordingly, pursuant to 37 C.F.R. § 1.97(b)(4), no fees are due with respect to this filing. However, should any fees be deemed necessary, such fees may be charged to Deposit Account No. 04-1415.

If the examiner has any questions, please contact the undersigned attorney.

Dated: JANUARY 20, 2006.

Respectfully submitted,

Charles R. Matson, Reg. No. 52,006

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**Enclosures** 

cc: Nautilus, Inc. and IP Docketing-DV

### Express Mail Label No. EV 678 762 783 US

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De Patent and Frahemark Office; U.S. DEPARTMENT OF COMMERCE Substitute for Forms 1449A/PTO FILING DATE: **APPLICATION NO.:** 10/051,602 January 17, 2002 FIRST NAMED INVENTOR: ART UNIT: INFORMATION DISCLOSURE STATEMENT BY APPLICANT JAN 2 0 7006 William A. Baker 3764 **EXAMINER NAME:** ATTY. DOCKET NO.: 1342/US/1 Tam M. Nguyen Use as many sheets as necessary)

EXAMINER INITIALS*	Cite No.1	PATENT NUMBER	ISSUE DATE	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages
INITIALS.	NO.	Number – Kind Code <sup>2</sup>	MM-DD-YYYY		or Relevant Figures Appea
		(if known) 326,247	09/15/1885	Root	
		334,635	01/19/1886	Bowen	
		402,926	05/07/1889	Haynes, Jr.	`
		518,411	04/17/1894	Casse	
		572,273	12/01/1896	Peterson	
		581,095	04/20/1897	Willard	
	-	642,919	02/06/1900	Nott	
		681,565	08/27/1901	McCune et al.	
	*	747,294	12/15/1903	Blaisdell	
		763,095	06/21/1904	Ebken	
	<del>                                     </del>	998,365	07/18/1911	MacLean	
		1,245,350	11/06/1917	Hurwitz	
		D 53,150	04/01/1919	Harley	
		1,571,013	01/26/1926	Ledig	
		1,676,774	07/10/1928	Cronk	
		1,820,372	08/25/1931	Blomquist	
		2,032,303	02/25/1936	Orgitano	
		2,255,864	09/16/1941	Stephens	
		2,261,355	11/04/1941	Flynn	
		2,301,362	11/10/1942	Brown et al.	
		2,382,841	08/14/1945	Alexander	
<del></del>		2,453,771	11/16/1948	White et al.	
		2,510,973	06/12/1950	Guillemin, Jr.	
	*	2,565,348	08/21/1951	Brockman et al.	
		2,616,416	11/04/1952	Gillmeier	
	*	2,641,249	06/09/1953	Brockman	
		2,680,967	06/15/1954	Newman	,
		2,758,532	08/14/1956	Awe	
		2,784,591	03/12/1957	Shoor	
		2,788,211	04/09/1957	Ivanoff	
		2,825,563	03/04/1958	Lawton	
		2,826,135	03/11/1958	Benzick	
		2,866,358	12/30/1958	Duffy	
		2,872,191	02/03/1959	Gallo, Sr.	
-		3,112,108	11/26/1963	Hanke	
	-	3,216,722	11/09/1965	Odom	

# **U.S. PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages
		Number – Kind Code <sup>2</sup> (if known)			or Relevant Figures Appear
	*	3,275,339	09/27/1966	Mennesson	
	<u> </u>	3,283,997	11/08/1966	Bambenek et al.	
		3,432,164	03/11/1969	Deeks	
		3,494,616	02/10/1970	Parsons	
	<u> </u>	3,526,042	09/01/1970	Nelson	
		3,603,609	09/07/1971	Hott	
		3,643,943	02/22/1972	Erwin, Jr. et al.	***
_		3,712,613	01/23/1973	Feather et al.	no.
		3,751,033	08/07/1973	Rosenthal	·
		3,758,111	09/11/1973	Agamian	1.2
		3,767,195	10/23/1973	Dimick	
		3,784,194	01/08/1974	Perrine	
		3,822,599	07/09/1974	Brentham	
		3,845,756	11/05/1974	Olsson	
		3,848,467	11/19/1974	Flavell	
_		3,869,121	03/04/1975	Flavell	
		3,870,127	03/11/1975	Wilson et al.	
		3,882,971	05/13/1975	Peckham, Jr.	
		3,929,209	12/30/1975	Peckham, Jr.	
		3,940,128	02/24/1976	Ragone	
		3,979,113	09/07/1976	Uhl et al.	
		4,009,769	03/01/1977	Nagatomo	
		RE 29,404	09/20/1977	Blevens	
		4,053,173	10/11/1977	Chase, Sr.	
		4,060,239	11/29/1977	Pfleiderer et al.	
		4,082,264	04/04/1978	Santos	
		4,108,462	08/22/1978	Martin	
**		4,112,928	09/12/1978	Putsch	
		4,140,312	02/20/1979	Buchmann	
		4,169,591	10/02/1979	Douglas	
		4,184,678	01/22/1980	Flavell et al.	
	*	4,244,021	01/06/1981	Chiles III	
		4,261,562	04/14/1981	Flaveli	
		4,278,095	07/14/1981	Lapeyre	
		4,285,515	08/25/1981	Gezari	
		4,286,696	09/01/1981	Szymski et al.	
		4,289,309	09/15/1981	Hoffmann	
		4,291,787	09/29/1981	Brentham	
		4,291,872	09/29/1981	Brilando et al.	
		4,354,676	10/19/1982	Ariel	
		4,358,105	11/09/1982	Sweeney, Jr.	
		4,372,551	02/08/1983	Yurdin	
		4,379,566	03/12/1983	Titcomb	
		4,408,613	10/11/1983	Relyea	
		4,436,097	03/13/1984	Cunningham	

# **U.S. PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	PATENT NUMBER	ISSUE DATE	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		or Relevant Figures Appear
	<del> </del>	4,438,921	03/27/1984	Szymski	
	<u> </u>	4,441,705	04/10/1984	Brown	
<del> </del>		D 273,882	05/15/1984	Bryne	
	ļ — —	4,452,445	06/05/1984	Czekes	
<del> </del>		4,456,276	06/26/1984	Bortolin	
		4,493,485	01/15/1985	Jones	
	1	4,500,103	02/19/1985	Klein	
		4,509,742	04/09/1985	Cones	
·	· · · · · · · · · · · · · · · · · · ·	4,519,603	05/28/1985	Decloux	
		D 279,206	06/11/1985	Smith et al.	
		4,537,396	08/27/1985	Hooper	
		4,542,897	09/24/1985	Melton et al.	
		4,555,109	11/26/1985	Hartmann	14 mg = 40 mg
		4,556,216	12/03/1985	Pitkanen	1.50
		4,561,318	12/31/1985	Schirrmacher	
		4,566,692	01/28/1986	Brentham	
		4,569,518	02/11/1986	Fulks	
•		4,571,682	02/18/1986	Silverman et al.	
	*	D 283,431	04/15/1986	Gustafsson	
		4,587,960	05/13/1986	Schotten	
		4,589,656	05/20/1986	Baldwin	
		4,603,856	08/05/1986	Fiore	
	*	D 285,816	09/23/1986	Berntsson	
		4,636,001	01/13/1987	Weyenberg	·
		4,642,769	02/10/1987	Petrofsky	
		4,647,036	03/03/1987	Huszczuk	
		4,660,828	04/28/1987	Weiss	
	*	D 289,669	05/05/1987	Kasuba et al.	* *
	*	D 289,670	05/05/1987	Kasuba et al.	t
_		4,693,468	09/15/1987	Kurlytis et al.	·
		4,743,011	05/10/1988	Coffey	
	*	4,752,066	06/21/1988	Housayama	
		4,762,317	08/09/1988	Camfield et al.	
		4,775,145	10/04/1988	Tsuyama	
		4,786,049	11/22/1988	Lautenschlager	
		4,790,528	12/13/1988	Nakao et al.	
		4,800,310	01/24/1989	Nakao et al.	
	*	D 299,504	01/24/1989	Hong et al.	
		4,822,032	04/18/1989	Whitmore et al.	
		4,826,150	05/02/1989	Minoura	
	*	4,844,451	07/04/1989	Bersonnet et al.	•.
		4,878,397	11/07/1989	Lennon	
		4,902,002	02/20/1990	Huang	
	*	D 306,626	03/13/1990	Szymski et al.	
		4,915,375	04/10/1990	Ginsburg	

# **U.S. PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No.1	PATENT NUMBER	ISSUE DATE	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages
		Number – Kind Code <sup>2</sup> (if known)	MM-DD-YYYY	7	or Relevant Figures Appear
	-	D 307,614	05/01/1990	Bingham et al.	
<del> </del>	<u> </u>	D 307,615	05/01/1990	Bingham et al.	
		D 307,782	05/08/1990	Birrell et al.	· · · · · · · · · · · · · · · · · · ·
	<del>                                     </del>	4,923,193	05/08/1990	Pitzen et al.	
	*	4,932,650	06/12/1990	Bingham et al.	· · · · · · · · · · · · · · · · · · ·
		4,934,688	06/19/1990	Lo	
	*	D 309,167	07/10/1990	Griffin	
		D 309,485	07/24/1990	Bingham et al.	
	*	D 310,253	08/28/1990	Bersonnet et al.	
		4,951,937	08/28/1990	Hoffenberg et al.	
	1	4,955,599	09/11/1990	Bersonnet et al.	
<del></del>	1	4,961,570	10/09/1990	Chang	
	<u> </u>	4,962,925	10/16/1990	Chang	
		4,971,316	11/20/1990	Dalebout et al.	1.1
		4,976,424	12/11/1990	Sargeant et al.	
		D 313,055	12/18/1990	Watterson	
		4,981,294	01/01/1991	Dalebout et al.	
	ļ	5,000,444	03/19/1991	Dalebout et al.	
	<del>                                     </del>	5,014,980	05/14/1991	Bersonnet et al.	
<del></del>		5,016,870	05/21/1991	Bulloch et al.	
	*	D 318,086	07/09/1991	Bingham et al.	
		5,031,912	07/16/1991	Vaughn et al.	
		5,044,627	09/03/1991	Huang	
		5,067,710	11/26/1991	Watterson et al.	
		D 323,863	02/11/1992	Watterson	
		5,094,124	03/10/1992	Stonehouse	
		5,114,391	05/19/1992	Pitzen et al.	
		5,125,648	06/30/1992	Olschansky et al.	
	*	5,145,479	09/08/1992	Olschansky et al.	
		5,149,312	09/22/1992	Croft et al.	
		5,178,593	01/12/1993	Roberts	
		5,186,697	02/16/1993	Rennex	
	*	D 334,042	03/16/1993	Wang	
		5,203,826	04/20/1993	Dalebout	
		5,211,613	05/18/1993	Friesl	
		5,247,853	09/28/1993	Dalebout	
		RE 34,478	12/14/1993	Dalebout et al.	
		5,269,736	12/14/1993	Roberts	
		5,279,529	01/18/1994	Eschenbach	
	*	5,284,462	02/08/1994	Olschansky et al.	
		5,295,928	03/22/1994	Rennex	
		5,310,392	05/10/1994	Lo	
		5,330,402	07/19/1994	Johnson	
		5,342,262	08/30/1994	Hansen	
	*	D 353,422	12/13/1994	Bostic et al.	

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EXAMINER INITIALS*	Cite No. <sup>1</sup>	PATENT NUMBER Number – Kind Code <sup>2</sup> (if known)	DATE  MM-DD-YYYY	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	*	D 357,953	05/02/1995	Warehime et al.	
		5,533,953	07/09/1996	Lui et al.	
		5,569,128	10/29/1996	Dalebout	
		5,580,337	12/03/1996	Habing et al.	
		D 380,024	06/17/1997	Novak et al.	
	*	5,836,856	11/17/1998	Mattoo et al.	
		5,857,943	01/12/1999	Murray	wain
		5,873,589	02/23/1999	Hallett	
		5,904,638	05/18/1999	Habing et al.	
		5,928,115	07/27/1999	Arroyo, Jr.	
		5,934,631	08/10/1999	Becker et al.	
	<u> </u>	5,996,145	12/07/1999	Taylor	7
	ļ	6,001,046	12/14/1999	Chang	
	*	D 460,133 S	07/09/2002	Baker	
	*	D 460,794 S	07/23/2002	Baker	
		6,551,226 B1	04/22/2003	Webber et al.	·
		6,695,581 B2	02/24/2004	Wasson et al.	
		6,817,968 B2	11/16/2004	Galbraith et al.	

			U.S. PUBLICATIO	N DOCUMENTS	en e
EXAMINER INITIALS*	Cite No. <sup>1</sup>	PUBLICATION NUMBER	PUBLICATION DATE	Name of Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code <sup>2</sup> (if known)	MM-DD-YYYY	7	or Kelevalit Figures Appear
	<u> </u>	2002/0077221 A1	06/20/2002	Dalebout et al.	
		2002/0155929 A1	10/24/2002	Lull et al.	
		2003/0171191 A1	09/11/2003	Crawford et al.	
	*	2004/0248701 A1	12/09/2004	Baker	
	*	2004/0248702 A1	12/09/2004	Baker	

	FOREIGN PATENT DOCUMENTS					
EXAMINER INITIALS	No.1	No.1 NUMBER	PUBLICATION DATE	Name of Patentee or Applicant of Cited	Pages, Columns, Lines, Where Relevant Passages	T <sup>6</sup>
			MM-DD-YYYY	Document	or Relevant Figures Appear	
		CA 994,823	Aug. 10, 1976	Charbonneau, J.		12-1-1
		CA 1,256,139	June 20, 1989	Nautilus Sports Med., Inc.		
		DE 517,774	Feb. 7, 1931	Hertzell, C.		T
		DE 1,961,488	July 16, 1970	Tunturipyoerae Oy		1 .
		GB 300,943	Nov. 05, 1928	Frost, W. and Harvey Frost & Company Ltd.		
	*	GB 1,281,731	July 12, 1972	Raleigh Industries Limited		

	FOREIGN PATENT DOCUMENTS					
EXAMINER Cite INITIALS No.1		DOCUMENT NUMBER	BER DATE Applicant of Cited Where Relevant I	Pages, Columns, Lines, Where Relevant Passages	T <sup>6</sup>	
		Country Code <sup>3</sup> – Number <sup>4</sup> – Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Document	or Relevant Figures Appear	
		GB 1,395,908	May 29, 1975	Girling Ltd.		
		GB 2,175,812	Dec. 10, 1986	Justwise Limited, Smith, R. and Smith, R. Mrs.		
	-					-

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
EXAMINER INITIALS	Cite No. <sup>2</sup>	Include name of Author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T3
		Johnny G Spinning© Instructor Manual, (Copyright 1995).	
		Catalog: Schwinn® Fitness, Harness the Force of Nature and You Possess the Strength of Confidence brochure 30 pages, 1996-1997.	   
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

4826-2891-0080\1

<sup>&</sup>lt;sup>3</sup> Applicant's unique citation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3) <sup>5</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>3</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English 3, language Translation is attached.